

## REMARKS

The drawings have been objected to because the Examiner believes that they do not show the plurality of heat dissipation fins that is recited in claim 7. However, FIG. 3A of this application, which was FIG. 3 at the time of the filing of this application, clearly shows five heat dissipation fins 71 that are provided on the sidewall of slide base 21. During the interview with the Examiner held January 29, 2003, applicants' representative explained the structure of FIG. 3 using an annotated drawing faxed to the Examiner on January 28, 2003. At the interview the Examiner requested the representative to revise FIG. 2 of this application so as to be consistent with the structure shown in FIG. 3. See the Interview Summary dated January 29, 2003. The applicants complied with this requirement and submitted revised FIG. 2 on September 4, 2003, which was accepted in the Action dated November 18, 2003. This drawing, revised FIG. 2, also shows three heat dissipation fins, although other fins do not appear in the drawing because of the perspective nature of the drawing. Applicants point out that the Examiner presumably reviewed and approved the changes in FIG. 2, including the addition of the plurality of heat dissipation fins that reflects the structure of FIG. 3.

The objection to the drawings should be withdrawn because FIGS. 2 and 3A clearly show more than one heat dissipation fins.

Claims 7, 13 and 14 have been rejected under 35 USC 112, first paragraph, as failing to comply with the written description requirement. Although the Examiner contends that the portion of the specification, i.e., page 6, lines 14-21, cited by applicants in the amendment filed October 18, 2004, failed to show support for the plurality of heat dissipation fins recited in claim 7, applicants stated in the amendment “[t]his amendment finds support, for example, at page 6, lines 14-21, of the specification and FIG. 3A of this application.” Emphasis added. As explained above, FIG. 3A, which is original FIG. 3, clearly shows five heat dissipation fins 71. Thus, the rejection of claims 7, 13 and 14 under 35 USC 112, first paragraph, should be withdrawn.

Applicants note that the Japanese language, in which the priority application providing the basis of this application was written, often disregards the difference between singular and plural expressions, as was the case with the priority application of this application. Applicants are willing to amend the specification, if the Examiner so desires.

Claims 7, 13 and 14 have been rejected under 35 USC 112, second paragraph, as indefinite. Applicants respectfully traverse this rejection.

The Examiner first contends “the phrase ‘a plurality of heat dissipation fins’ is unclear.” “Plurality” means “the state of being plural.” See, Webster’s Collegiate Dictionary, Tenth Edition. “Plurality” is used extremely commonly in patent claims to mean “more than one.” Thus the expression “a plurality of heat dissipation fins” means more than one heat dissipation fin. There is nothing unclear about this expression.

Then, the Examiner contends “[i]t is uncertain what structure the additional fins incorporate and where there are located in reference to the original fin on the unit base.” Applicants have no duty to recite every detailed structure in their claims as long as the claims provide clear warning to others as to what constitutes infringement of the patent. Those skilled in this art would understand what is claimed when the claims are read in light of the specification, as applicants explained in the amendment filed October 18, 2004. Here, the expression “a plurality of heat dissipation fins,” which means “more than one heat dissipation fin,” provides clear warning to the public, and the one embodiment of the claimed invention, which is a configuration of more than one fin, is shown in FIGS. 2 and 3A, as explained above.

Finally, the Examiner contends that the statement in claim 14 that the heat dissipation fins are disposed on a sidewall of the unit base is not clear because in the Examiner’s words “[i]n Figure 2, the fins (71) are clearly located on an interior portion of the unit base not on a sidewall and not near a side that could be considered a sidewall<sup>1</sup>. ” Applicants point out that in FIG. 3A

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<sup>1</sup> Applicant notes that the Examiner applies the revised FIG. 2 of this application, especially the location of the fins shown in the drawing, to reject claim 14 and expressly uses a plural expression, “the fins (71) are,” despite his argument in the objection to the drawings.

the claimed unit base corresponds to slide base 12, as applicants' representative described during the interview based on the annotated drawings sent to the Examiner. Thus, the five heat dissipation fins 71 stand on the right sidewall, i.e., the side wall of slide block 23 that is part of the slide base 12, shown in FIG. 3A.

The rejection of claims 7, 13 and 14 under 35 USC 112, second paragraph, should be withdrawn because claims 7, 13 and 14 include no indefinite expressions as explained above.

Claims 7, 8 and 13 have been rejected under 35 USC 102(b) as anticipated by Japanese Patent Application Publication No. 61-239696 (Itagaki). Applicants respectfully traverse this rejection.

The Examiner still maintains that Itagaki's linear scale head 23 corresponds to the claimed plurality of heat dissipation fins. In the Response to Argument section of the Action, the Examiner admits that Itagaki discloses only one linear scale head 23 by acknowledging "item '23' clearly has a fin-like structure." As applicants explained in the amendment filed October 18, 2004, Itagaki does not teach or suggest that a plurality of linear scale heads are formed on feeding table 8, which the Examiner equates to the claimed unit base, because only one linear scale head must face a linear scale to form Itagaki's position detecting system and no part of Itagaki suggests that a linear scale head may be used uncoupled from the linear scale for the purpose of heat dissipation.

The rejection of claims 7, 8 and 13 under 35 USC 102(b) on Itagaki should be withdrawn because Itagaki does not teach or suggest the claimed plurality of heat dissipation fins.

In light of the above, a Notice of Allowance is solicited.

In the event that the transmittal letter is separated from this document and the Patent and Trademark Office determines that an extension and/or other relief is required, applicants petition

for any required relief including extensions of time and authorize the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952**, referencing Docket No. **492322002100**.

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By:

Respectfully submitted,



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